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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MARCH 12, 2003

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE-2001-00296

Ex Parte: In the matter of  
establishing rules and  
regulations pursuant to the  
Virginia Electric Utility  
Restructuring Act for customer  
minimum stay periods

ORDER GRANTING MOTION

On March 7, 2003, the Staff of the State Corporation Commission ("Commission"), filed a motion requesting that the Commission delay the investigation of alternatives to minimum customer stay periods and the associated report required by the Commission's Final Order issued October 9, 2001, in this proceeding until after consideration of legislation by the General Assembly. The Staff is currently directed to investigate and file the report by March 31, 2003.

Senate Bill 892 was introduced in the 2003 General Assembly to eliminate the minimum stay requirement for customers willing to take generation service at a form of market rate if they returned to their incumbent utility during the capped rate period after taking service from an alternative supplier. This legislation was tabled in the Senate Commerce and Labor

Committee with the request that the Legislative Transition Task Force ("LTTF") give the issue further study and consideration. The Staff, therefore, requests that the deadline for the filing of its report be delayed until action by the General Assembly.

NOW THE COMMISSION, upon consideration of this motion, is of the opinion and finds that the Staff's motion should be granted. There is minimum shopping by incumbent electric utility customers for alternative service providers at this time. It appears that the LTTF intends to examine minimum stay requirements and whether to eliminate them for customers willing to take service at a form of market rate if they return to the incumbent utility during the capped rate period after taking service from a competitive supplier. Therefore, we find that it is not imperative at this juncture for the Staff to file a report on alternatives to minimum customer stay periods on or before March 31, 2003.

Accordingly, IT IS ORDERED THAT the March 31, 2003, deadline for the filing of the Staff Report is hereby deferred until further order of this Commission.